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REMARKS

This amendment and enclosed RCE are offered in reply to the office action of January 13, 2009. A petition and fee for a two (2) month time extension are enclosed, making this response due on June 15, 2009.

In paragraph 3 of the office action, claims 20, 21, 26, and 27 are rejected under 35 USC 102(a/e) as anticipated by Murphy US 6,689,487.

This rejection is believed to be in error. In particular, the '487 patent is not available as a reference since the present application is entitled to a filing date of February 16, 1994.

In addition, the examiner is incorrect in stating that the '487 patent teaches "a chemically vapor deposited aluminide diffusion coating thereon including a distribution of a reactive elements comprising Hf and/or Zr and Y". In contrast, column 8, lines 60 through column 9, line 7 of the '487 patent to which the examiner refers teach that it is the thermal barrier coating that comprises 7Y46HfZrO (7 weight % yttria-46 weight % hafnia-balance zirconia). Such thermal barrier coating is not an aluminide diffusion coating as set forth in pending claims 20, 21, 26 and 27.

Reconsideration of the Section 102(a/e) rejection of pending claims 20, 21, 26, and 27 is requested as a result.

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In paragraph 4 of the office action, claims 20, 21, 26, and 27 are rejected under 35 USC 102(b) as anticipated by Warnes US 6,291,014.

This rejection is believed to be in error. In particular, the '014 patent is not available as a reference since the present application is entitled to a filing date of February 16, 1994.

Reconsideration of the Section 102(b) rejection of pending claims 20, 21, 26, and 27 is requested as a result.

In paragraph 6 of the office action, claims 20-22 are rejected under the doctrine of obviousness-type double patenting in view of claims 1, 2, and 13 of US 6,129,991.

Applicants note that claim 22 is cancelled.

This rejection is believed to be in error. The examiner should note that the '991 patent discloses and claims in claims 1-2 and 13 a duplex coating wherein it is the inner first MCrAlY-type coating that includes Y and a reactive element (Hf and/or Zr) and not the second aluminide diffusion coating residing on (overcoating) the first MCrAlY-type coating. The MCrAlY-type coating is an overlay coating and not an aluminide diffusion coating.

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Reconsideration of the obviousness-type double patenting rejection of pending claims 20 and 21 is requested as a result.

In paragraph 7 of the office action, claims 20-22 are rejected under the doctrine of obviousness-type double patenting in view of claims 1, 2, 7, and 8 of US 5,989,733.


Applicants note that claim 22 is cancelled.

This rejection is believed to be in error. In particular, the '733 patent is not available as a reference since the present application is entitled to a filing date of February 16, 1994.

Reconsideration of the obviousness-type double patenting rejection of pending claims 20 and 21 is requested as a result.

Entry of this amendment and allowance of the pending claims is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edward J. Timmer', with a long horizontal stroke extending to the right.

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service under 37 CFR 1.8 as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 15, 2009.

Edward J. Timmer